PROPOSED POLICY REVISION FROM CABE

5118.1P

STUDENTS

HOMELESS CHILDREN AND YOUTH POLICY

Homeless Students

The Board shall make reasonable efforts to identify homeless children and youths within the district, encourage their enrollment in school and eliminate existing barriers to their education, which may exist in district policies or practices, in compliance with all applicable federal and state laws.

The District administration shall attempt to remove existing barriers to school attendance by homeless children or youth, which may include:

1. **Records -** The selected school for the homeless student shall enroll the child or youths even in the absence of records normally required for enrollment. The last school in which the student was enrolled shall be contacted to obtain records.

2. Other enrollment requirements that may constitute a barrier to the education of the homeless child or youth may be waived at the discretion of the Superintendent.

3. **Grade Level Placement -** If the District is unable to determine the student's grade level due to missing or incomplete records, the District shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.

4. Fees and charges, which may present a barrier to the enrollment or transfer of a homeless child or youth, shall be waived.

5. Transportation services must be comparable to those provided other students in the selected school. Transportation shall be provided to the student's school of origin in compliance with federal and state regulations.

6. Official school records, policies, and regulations shall be waived at the discretion of the Superintendent, in compliance with federal and state regulations.

7. **Immunization Records -** The District shall make a reasonable effort to locate immunization records from information available. The District's liaison shall assist the parent/guardian in obtaining the necessary immunizations and records. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of Board of Education policy on immunizations.

8. Other barriers to school attendance by homeless children or youth may be waived at the discretion of the Superintendent of Schools.

Further, it is the policy of the Board of Education that no child or youth shall be discriminated against or stigmatized in this school district because of homelessness. Homeless students, as defined by federal and state statutes, residing within the district or residing in temporary shelters in the district are entitled to free school privileges.

Homeless students shall not be separated from the mainstream school environment on the basis of their homelessness. Such students shall have access to education and other services they need to meet the same challenging State academic standards to which all students are held.

Homeless students within the district not placed in a shelter remain the district's responsibility to provide continued educational services. Such services for the child may be:

1. continued in the school ("school of origin") that the student attended when permanently housed or the school of last enrollment; or

2. provided in the school that is attended by other students living in the same attendance area where the homeless child lives.

To the extent feasible, a homeless child will be kept in the school of origin, unless it is against the wishes of the parent/guardian. If placement in the school of origin is not feasible, the homeless student must be placed in the school that is attended by other students living in the same attendance area in which the homeless child lives.

The District will provide a written explanation, including the right to appeal, whenever the District sends a homeless student to a school other than the school of origin, a school requested by the parent/guardian or unaccompanied youth.

Homeless children shall be provided educational services that are comparable to those provided to other students enrolled in the District, including but not limited to, Title I, transportation services, compensatory educational programs, gifted and talented, special education, ESL, health services and food and nutrition programs, and preschools operated by the District, if they meet the established criteria for these services.

The Superintendent of Schools shall refer identified homeless children under the age of eighteen who may reside within the school district, unless such children are emancipated minors, to the Connecticut Department of Children and Families (DCF).

The district administration shall attempt to remove existing barriers to school attendance by homeless emancipated minors and youth eighteen years of age:

1. The selected school for the homeless child shall enroll the child, even in the absence of records normally required for enrollment. The last school enrolled shall be contacted to obtain records.

2. Other enrollment requirements that may constitute a barrier to the education of the homeless child or youth may be waived at the discretion of the Superintendent. If the district is unable to determine the student's grade level due to missing or

incomplete records, the district shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.

3. Fees and charges, which may present a barrier to the enrollment or transfer of a homeless child or youth, may be waived at the discretion of the Superintendent.

4. Transportation services must be comparable to those provided other students in the selected school. Transportation shall be provided to the student's school of origin in compliance with federal and state regulations. If the school of origin is in a different school district from where the homeless child or youth is currently living, both school districts shall agree on a method for sharing the responsibility and costs, or share the costs equally.

5. Official school records policies and regulations shall be waived at the discretion of the Superintendent, in compliance with federal statutes.

6. The district shall make a reasonable effort to locate immunization records from information available. The District's liaison shall assist the parent/guardian in obtaining the necessary immunizations and records. The District shall arrange for students to receive immunizations through health agencies and at District expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of Board of Education policy on immunizations.

7. The Board will provide any homeless student, who is not in the physical custody of a parent/guardian, full access to his/her educational records, including medical records, in the Board's possession.

8. Other barriers to school attendance by homeless children or youth may be waived at the discretion of the Superintendent of Schools.

9. The District will treat information about a homeless child or youth's living situation as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA). Such information shall not be deemed to be directory information.

The District's educational liaison for homeless children is the Director of Pupil Services and Special Education. The liaison must assist homeless children and youth, as described within the administrative regulations, in the placement/enrollment decisions, considering the youth's wishes and provide notice of appeal under the Act's enrollment disputes provisions. The liaison shall also participate in State provided professional development programs for local liaisons.

Students residing in a temporary shelter are entitled to free school privileges from the district in which the shelter is located or from the school district where they would otherwise reside if not for the placement in the temporary shelter. The district in which the temporary shelter is located shall notify the district where the student would otherwise be attending. The district so notified may choose to either:

1. continue to provide educational services, including transportation between the temporary shelter and the school in the home district; or

2. pay tuition to the district in which the temporary shelter is located.

The Superintendent shall develop regulations, to ensure compliance with applicable statutes in the implementation of this policy.

(cf. 5143 - Student Health Assessments and Immunizations)

(cf. 5146 - Child Abuse and Neglect)

Legal Reference: Connecticut General Statutes

10-253(e) School privileges for children in certain placements, non-resident children and children in temporary shelters. (as amended by PA 17-194)

17a 101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order.

17a 103 Reports by others.

17a 106 Cooperation in relation to prevention, identification and treatment of child abuse and neglect.

46b 120 Definitions.

PA 17-194 An Act Concerning Access to Student Records for Certain Unaccompanied Youths.

McKinney-Vento Homeless Assistance Act, (PL 107-110-Sec 1032) 42 U.S.C. §11431-11435, as amended by the ESSA, P.L. 114-95.

Federal Register: McKinney-Vento Education for Homeless Children and Youths Program, Vol. 81, No. 52, 3/17/2016.

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C. 1232g.)

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. Implementing FERPA enacted as part of 438 of General Educ. Provisions Act (20 U.S.C. 1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/96, and Final Rule 34 CFR Part 99, December 9, 2008, December 2, 2011.

COLCHESTER EXISTING POLICY:

5118.1P

STUDENTS

~~**HOMELESS CHILDREN AND YOUTH POLICY**~~

~~In accordance with federal law, it is the policy of the Colchester Board of Education to prohibit discrimination against, segregation of, or stigmatization of, homeless children and youth. The Board authorizes the Administration to establish regulations setting forth procedures necessary to implement the requirements of law with respect to homeless children and youth. In the event of conflict between federal and/or state law and these administrative regulations, the provisions of law shall control.~~

~~Legal References:~~

~~State Law:~~

~~10-253 School privileges for children in certain placements, non-resident children and children in temporary shelters~~

~~Public Act 17-194, An Act Concerning Access to Student Records for Certain Unaccompanied Youths~~

~~Federal Law:~~

~~The McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. §§ 11431 et seq ., as amended by Every Student Succeeds Act, Pub. L. 114-95.~~

POLICY ADOPTED: January 14, 2003
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COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut